



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE

REFER TO FILE: **C-1**

August 22, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**ACCEPTANCE OF PUBLIC WORKS CONTRACTS  
SUPERVISORIAL DISTRICT 1  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

Ratify changes in work and accept completed contract work under the following construction contracts:

Project ID No. FCC0000564 - Buena Vista Channel Improvements, City of Irwindale (1), Sema Construction, Inc., with changes amounting to a credit of \$161,093.60, and a final contract amount of \$4,605,518.74.

Project ID No. FCC0000877 - San Gabriel River Rubber Dam Nos. 2 and 3 Downstream of Valley Boulevard, vicinity of El Monte and City of Industry (1), G.B. Cooke, Inc., with changes amounting to a credit of \$20,694.63, and a final contract amount of \$6,660,898.81 (Partial Acceptance).

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

This action is to obtain Board ratification of Director-approved changes in public works contracts and Board acceptance of the work of the contracts in compliance with the provisions of the Public Contract Code. Included in the enclosures are project and contract data, the scope of work of changes to be ratified, and the work of the contracts to be accepted.

The Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work, which I ordered for Project ID Nos. FCC0000564 and FCC0000877.

The projects have been completed, and it is recommended that your Board accept them on the dates indicated in the enclosures.

### **Implementation of Strategic Plan Goals**

The acceptance of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of these completed contracts will provide improved infrastructure to better serve the public.

### **FISCAL IMPACT/FINANCING**

The modifications to the contract amount are credits of \$161,093.60 and \$20,694.63, while the total values of the contracts are \$4,605,518.74 and \$6,660,898.81.

Ratification of the changes in work and acceptance of the work of the respective contracts by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for each of the respective projects to cover the costs of the changes and the total value of each of the contracts. Detailed cost breakdowns for each of the changes together with contract cost summaries are included in the enclosures.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Each of these contracts for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Director of Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

The changes in the work as described above and in the enclosures are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

### **CONTRACTING PROCESS**

Each contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of each of the changes were based on contract unit prices, time and materials, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosures.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Ratification of the requested changes and acceptance of the work of the contracts by your Board will ensure the timely closeout of the respective contracts, releasing Departmental and County assets for other construction-related activities.

The Honorable Board of Supervisors  
August 22, 2006  
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**CONCLUSION**

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

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Enc. 2

cc: Chief Administrative Office  
County Counsel  
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT  
August 22, 2006

PROJECT ID NO. FCC0000564, BUENA VISTA CHANNEL IMPROVEMENTS  
(in the City of Irwindale), Supervisorial District 1

Contractor: Sema Construction, Inc., 6 Orchard Street, Suite 150, Lake Forest,  
California 92630

Project Description:

Replacement of an existing concrete trapezoidal channel with a rectangular reinforced concrete channel and reinforced concrete double box conduit of greater capacity, construction of an access road and invert access ramp, and other appurtenant work.

Changes in Work:

Variations in Bid Quantities (\$161,093.60)

Description of Changes:

The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities. The costs for these changes were based on contract unit prices.

No additional working days were required because of these changes.

Project Completion Date:

The contractor completed the project on April 7, 2006, in accordance with the plans and specifications. However, the contractor failed to comply with the Affirmative Action Reporting requirements. Therefore, in accordance with the contract specifications, \$11,600 is being deducted from the contract. Additionally, the contractor requested 127 hours of overtime inspection, which resulted in a credit to the contract in the amount of \$6,667.50. The delay in forwarding this letter to your Board was due to the length of time required by the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$4,502,718.20
Actual costs of changes in work previously approved by the Board	282,161.64
Changes in work authorized by the Director of Public Works	(161,093.60)
Deduction for Affirmative Action	(11,600.00)
Deduction for Overtime Inspection	<u>(6,667.50)</u>
 FINAL CONTRACT AMOUNT	 <u>\$4,605,518.74</u>

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ACCEPTANCE OF CONTRACT (PARTIAL)  
August 22, 2006

PROJECT ID NO. FCC0000877 SAN GABRIEL RIVER RUBBER DAM NOS. 2 AND 3  
DOWNSTREAM OF VALLEY BOULEVARD (in the vicinity of El Monte and City of  
Industry), Supervisorial District 1

Contractor: G. B. Cooke, Inc., 580 East Foothill Boulevard Azusa,  
California 91702-2519

Project Description:

Construction of two rubber dams, control houses, bypass conduit, and appurtenant work.

Changes in Work:

(1) Variations in Bid Quantities	(\$22,094.50)
(2) Modify Electric Service Panel	648.95
(3) Additional Fencing	<u>750.92</u>
Total	(\$ <u>20,694.63</u> )

Description of Changes:

(1) The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) Your Board previously approved a change in work to modify the electric service panel to be compatible with Southern California Edison's power source. The cost of this work will exceed the original estimate by the amount shown.

(3) Your Board previously approved a change in work to install additional fencing in order to properly secure the area around the upstream side of Dam No. 3. The cost of this work will exceed the original estimate by the amount shown.

The costs for Item 1 were based on contract unit prices. The costs for Items 2 and 3 were based on time and materials as provided in Subsection 3-3 of the contract specifications.

Project Completion Date:

The contractor completed the project on April 24, 2006, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract. The contractor requested eight hours of overtime inspection, which resulted in a credit to the contract.

The County and the contractor are currently resolving questions about additional work requested by our Water Resources Division. Rather than continue to hold payment of the retention to the contractor until this issue is resolved, pursuant to Section 7107 of the California Public Contract Code, we recommend releasing all amounts due the contractor under the original contract as adjusted for all extra work and deductions. Once the issues are resolved, we will return to your Board for final acceptance.

Final Contract Amount:

Original contract amount	\$6,421,929.00
Actual changes in work previously approved by the Board	259,664.44
Changes in work authorized by the Director of Public Works	(20,694.63)
Deduction for Overtime Inspection	<u>(420.00)</u>
AMOUNT DUE CONTRACTOR AT THIS TIME	<u>\$6,660,898.81</u>

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